

## HANNYE LLC

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HADDONFIELD, NJ AND BALA CYNWYD, PA

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September 5, 2013

**ELECTRONICALLY FILED VIA COURT'S ECF  
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Chief Judge Jerome B. Simandle  
Mitchell H. Cohen Building & U.S. Courthouse  
1 John F. Gerry Plaza, Room 6010  
P.O. Box 888  
Camden, New Jersey 08101-0888

**Re: Fred Adami and Jack Varner v. Cardo Windows, Inc. d/b/a "Castle 'The  
Window People'", et al  
Docket No. 1:12-cv-02804-JBS-JS**

Dear Chief Judge Simandle:

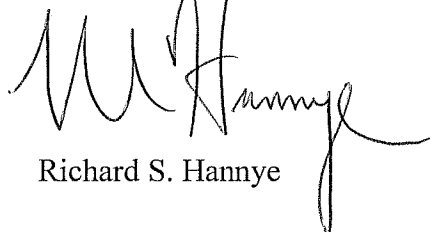
Plaintiffs' object to defendants' request for permission to file a sur-reply brief in response to Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Conditional Certification of an FLSA "Opt-In" Collective Action and Certification of a Rule 23 "Opt-Out" State Wage Class Action (the "Class Certification Motion"). Your Honor has scheduled oral argument on the Class Certification Motion for November 19, 2013 at 1:30 p.m. and defense counsel can argue the issues raised in their September 3, 2013 letter to the Court during oral argument.

Additionally, defendants' September 3, 2013 letter is, in effect, a two page sur-reply brief raising seven factual and/or legal arguments. Plaintiffs will refrain at this time from providing a substantive response which would, in essence, constitute a sur-sur-reply brief without Court permission. That being said, plaintiffs' counsel would be more than willing to provide such a substantive response if it would be helpful to the Court.

Thank you for your time and consideration.

Very truly yours,

**HANNYE LLC**

A handwritten signature in black ink, appearing to read "R. Hannye", is written over the printed name "Richard S. Hannye".

Richard S. Hannye

RSH:dd

cc: Michael Homans, Esquire (via e-filing)